

REMARKS

Claims 9 and 14 are pending in the application. Claims 1-8, 10-13, and 15-18 are allowed.

REJECTION UNDER 35 U.S.C. § 103

Claims 9 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagamatsu (U.S. Pat. Pub. No. 2003/0125890) in view of Dara-Abrams et al. (U.S. Pat. Pub. No. 2003/004680). This rejection is respectfully traversed.

With regard to claim 9, Nagamatsu fails to show, teach or suggest, inter alia, first server means for receiving said first plurality of packetized test commands and in response thereto packetizing and transmitting said first plurality of measurement data as said first plurality of packetized signal data.

As best understood by Applicants, Nagamatsu discloses a system and method for remote data acquisition, monitoring, and control. The system includes a plurality of remotely situated sensors, a locally situated workstation, and a Fast Fourier Transform (FFT) analyzer interfaced with the plurality of sensors and the workstation. The FFT analyzer receives sensed information from the plurality of sensors in the form of time domain data points and transforms the data points into a lesser number of frequency domain data points to facilitate transmission of a set of data to the workstation. Applicants can find no mention of first server means for receiving said first plurality of packetized test commands and in response thereto packetizing and transmitting said first plurality of measurement data as said first plurality of packetized signal data in the cited portions of Nagamatsu.

Dara-Abrams fails to cure the deficient teachings of Nagamatsu. As best understood by Applicants, Dara-Abrams discloses a system that, when a problem with a consumer electronic

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device is identified, provides a diagnostic procedure in order to diagnose the consumer electronic device. A remote control device is used to identify the consumer electronic device to a gateway device. When the consumer electronic device is identified, the gateway accesses a server, via an internet protocol (IP) network, in order to obtain a diagnostic procedure for the consumer electronic device, which is stored in a database of the server. When the gateway obtains the diagnostic procedure from the server, it downloads the diagnostic procedure to a testing and diagnostics device. The testing and diagnostics device interacts with the consumer electronic device according to the diagnostic procedure in order to provide a diagnosis of the consumer electronic device.

The Examiner appears to cite Fig. 1, No. 20 as disclosing first server means for receiving said first plurality of packetized test commands and in response thereto packetizing and transmitting said first plurality of measurement data as said first plurality of packetized signal data. However, the server disclosed in Dara-Abrams merely provides a diagnostic procedure that is stored in its database. The testing and diagnostics device receives the diagnostic procedure and interacts with the consumer electronic device based thereon. As such, the server of Dara-Abrams fails to packetize and transmit said first plurality of measurement data as said first plurality of packetized signal data in response to receiving said first plurality of packetized test commands as required by claim 9.

Accordingly, Applicants can find no mention of receiving said first plurality of packetized test commands and in response thereto packetizing and transmitting said first plurality of measurement data as said first plurality of packetized signal data in the cited portions of Dara-Abrams. Therefore, reconsideration and withdrawal of the rejection of claim 9 is respectfully requested.

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Claim 14 requires, among other things, packetizing said first plurality of measurement data as a first plurality of packetized signal data in response to said first plurality of packetized test commands and relaying said first plurality of packetized signal data via said packet-switched network. As such, claim 14 is allowable for at least similar reasons as claim 9. Therefore, reconsideration and withdrawal of the rejection of claim 14 is respectfully requested.


CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (312) 609-7620.

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Respectfully submitted,

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